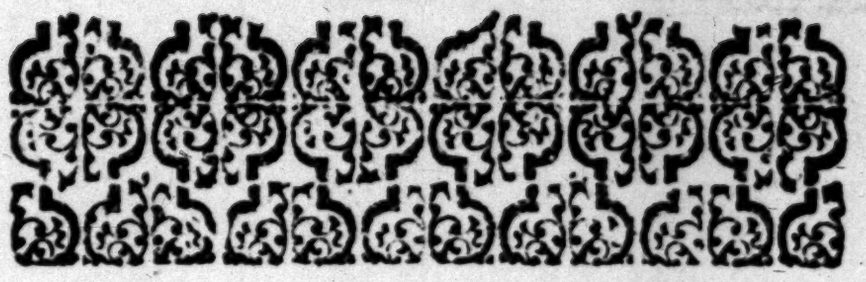

¶ A remembraunce of the precious vertues of the right Honourable and reuerend Iudge, Sir *Iames Dier*, *Knight*, *Lord cheefe Iustice* of the Common Pleas:

Who disseased at great Stawghton, in *Huntingdon* shire, the 24. of Marche, Anno. 1582.

The reporte of George Whetstons, Gent.

Formę nulla fides.

¶ Imprinted at London by *John Charlewood.*

FUIMUS
The Right Hon.ble Charles Viscount Bruce
of Ampthill (Son and Heir Apparent
of Thomas Earl of Ailesbury) and Baron
Bruce of Whorlton 1712

¶ To the right Honourable Sir Thomas Bromley, *Knight, Lord Chaunceler of* England, *and of her Maiesties* moste Honorable priuie Counsell, *George Whetstones*, wisheth long continuaunce of honour, health and happines.

(∴)

Ight Honourable, *so blessed hath beene the estate of this little Realme, since the bower of her sacred Maiesties moste prosperous raigne, as it hath beene a question, whether the people of forraigne nations, doo bemone their owne callamities, or enuie our felicitie moste: and as the godly wise, inferre the miseries of other people, to the vengeaunce of God, executed vppon their owne bowels, through the tyranie of their Kings, together with the ambytion and enuie of their principall Maiestrates: so doo they also acknowledge, that our espetiall happines, proceedeth from the deuine blessing of the hiest, who in the heate of percicution gratiousslie sent vs, a moste gratious Princes, led by a spirit, onely composed of pietie, bountie, and pittie, and further, strengthened her highnesse with a Senate, and other needefull maiestrates, so graue and pollitique, as establish wholesome lawes, for the publique benefit of her Maiesties Subiects, and with all, with lynxes eyes*

so prie into forraine practises, that by their wisdomes, in the beginning, they returne the weapons prouided for our mischeefes, into the practisers owne entrailes, so that more for feare then loue (beeing through the world for our prosperitie enuied) we haue free passage in forraigne nations, and finde the seale of peace, vppon the Gates of our owne Citties: which duly considered, that English subiect may iustlie be proclaimed enimie to grace & humanitie, that rendreth not hartie thankes vnto God, dutifull obedience vnto her Maiestie, and reuerent loue and affection vnto the Maiestrates, for this peace plentie, and protection, and seeing forraigne writers, that haue their Colledges enuironed with Armes, finde meanes to present the world, with the tirannies of their Maiestrates, oppressions of the people, and ruines of their Citties. English Historiographers which haue quiet recorse vnto the Muses, are bound to eternise the memories of the good maiestrates dissea-sed (who were the instruments of our blessings, that the dead may haue their right, and the liuing incourage-ment to vertue. Right honorable, bound by these con-siderations, to discharge the office of a poore writer, in monuments extant, I haue regestred the liues of manie woorthie personages disceased, and at this present moo-ued with the passion of a common sorrow, to showe the reuerẽt zeale I bare vnto Iustice, I haue made a weake remembraunce of a fewe of the pretious vertues, which gouerned the good Lord Dyer, *late cheefe Iustice of the Common Pleas, which I humblie laie before your Lordships searching iudgement, no better garnished then Diamonds set in Brasse, assuring my self that your*

honour

Dedicatorie.

honour will reade his full merrit, if not in my woords, in the woorking of your owne vertues, who with the wings of this iust Iustiser, are mounted into the souereaigne seate, of Iustice Capitoll, where poore iniured sutors Zealouslie praie, long to enioie your countenaũce whose conscience is the ease of their oppressions, so that knowing that my indeuor, shall finde grace in your gratious sight, being the dew of this good Maiestrate, and a testimonie of the seruice I vowe vnto your vertues. I boldelie approche your presence with this simple present, leauing the view thereof to your good Lordships moste conuenient leasure, the 17. of Maie, 1582.

Your Honours bounden
to doo you seruice.

George VVhetstones.

A remembraunce of the pretious *vertues of the right Honorable and* reuerend Iudge, Sir *Iames Dier*, Knight, Lorde cheefe Iustice of the Common Pleas.

L*Idgate*, *Bawldwin*, and many writers moe,
the heauie faules of naughty mē haue showne
VVhen their good deedes, to tell they all are slowe,
VVhose vertuous liues deseruetb to be blowne:
with such shrill trūps, as made *Mausolus* knowne
The cause (think I) through ruthemēs harmes they raise
And doo enuy to sound the worthies praise.

The moste famous Orrators & Poets of Greece, were hyred by Queene Artimisea to eternise the life vertues of her husbād Mausolus.

But so or no, the wrong dooth much increase,
which my weake muse, hath laboured lōg to right
VVho liuing in a chosen place of peace,
where vertue raignes, & conquers Enuies might:
who not with lance, but lawrel bough doth fight
Her Cheeftaines then, of writers iustly claime,
That Death, not time, their memories may maime.

The vveapons of vertue.

Among

Among the moe, that worste may paye this debte,
vppon the good, I haue bestow'd my zeale:
Not like their woorth, but able wittes to whet,
For to expose their vertues euery deale,
Who stayes were of our happy common weale.
That their good rules, such as succeede may guide,
And liue by Fame, as they had neuer dy'de.

To bothe effects (who liuing did no wronge)
The breathles course of good *Iames Dier* knight;
Of Common Pleas, the Lord cheefe Iustice long,
In Scarlet Robes, I laye in open sight,
To shewe that death, ore honour hath no might.
Whose deeds doo shine, as Diamonds in the darke
And liues, though dead, if to his Fame you harke.

A custome vvith which the Venetians in their funerals, do honour their Maiestrates

Like him that long against the sonne dooth gase,
To prie into his vertues, dimme my eyes:
VVhose Monuments, shine as a Pharoes blase,
In Iudgement iust, in counsell graue and wise,
Clearer of doubts, in law like clowds which rise.
A liue refuge, of those whom wronge did paine,
A Dyer such, as dy'de without a staine.

Meete vertues for a Iudge,

But

of the good Lord Dyer.

But to discribe this woorthy Iudge at large,
Let it suffice to showe from whence he came:
The purple Grape, a Thorne dooth neuer charge,
Nor rascall rase, oft breedes a Childe a fame,
His birth was good, his acts doo blaze the same.
In woorship borne, in honour he did ende,
Rayse by desart, and not by fate, or freend.

He was borne in an house of auncient woorship.

Vertue the best Cognizance of a Gentle.

In tender yeares, he was to learning set,
And Vessels long, their seasoned liquors taste:
As time grew on, he did to Oxford get,
And so frō thence, he was in Strand Inne plaste,
But him with fame, the middle Temple graste:
The deapth of lawe, he searcht with painefull toyle,
Not cunning Quirks, the simple man to spoyle.

Strand Inne sometimes an Inne of Chauncerie.

His witte was quicke, his iudgement was as sound,
His Clyents such, as weare with wrong oppreft:
His conscience good, him first with credit crouned,
Who with much care, his clyents wrongs redreft.
By vertue thus, he clymde aboone the rest,
And feard no fall, sithe merrit was his guide,
When reaching heads, oftte slip meeceest pride.

A good example for lawiers.

From roome to roome, he stept by true degrees,
And mounts at length, to soueraigne Iustice place
He liued 23 years in this office.
VVhere long he sat, chiefe Iudge of cõmon Pleas,
And to say truthe, he fare with Iustice grace,
VVhose sacred will, was written in his face.
Setled to heare, but very slowe to speake,
Till either part at large his minde did breake.

And when he spake he was in speeche reposde,
His eyes did searche, the simple sutors harte.
He contraryed Arist opinion, Amor et odium, et proprium comodum semper facet iudices non cognoscere verum.
To put by bribes, his handes were euer closde,
His professe Iust, he tooke the pooremans parte.
He rulde by Lawe, and lystned not to Arte,
These foes to truthe, loue, hate, and priuate gaine,
which most corrupt, his conscience could not staine

The freendles wight, which did offẽd through need
He euer more, with mercy did respect.
A good consideration.
The prowder sheete, that did his Trespasse feede,
Through trust to freends, with scourge of law he
for by the fault, not freends he did direct, checkt
Thus he with grace, the poore mans loue did draw,
And by sharpe meanes, did keep the prowd in awe.

As

As good things are, by euill men ofte abuisde,
cuen so the lawe, to wrong sometime is wrest:
The lawe pronounst, no trauell he refusde,
To ease their greefes, whom that he foūd oppreſt,
And fewe so bad as dislobayde his heast,
This he good Iudge, in circute as he rode,
As cause requyrde, still as a Chauncelor stoode.

Summum ius est summa iniuria.

The testimony of a good conscience.

Fit men he did, in office euer place,
and ofte put by, his freends and neerest kin:
Affirming though the gifte were in his grace,
The Common weale, cheefe intrest had therein,
And therefore meete, the worthy should it win,
VVords like himself, who fauoured publique good
Before their gaine, that were sprong of his blood.

Sufficient men ought to be placed in offices, because they are seruants of the common weale.

VVhere he was borne, all sorts his bountie knew,
He still stayde strifes, in places as he goeth:
At VVestminster, his death poore sutors tewe,
VVho for the poore, was Iudge and pleader bothe
The riche mans cause, he fauord but in trothe.
Where as he dwelt, the Country sounds this mone,
Alas, the good Lord Dier now is gone.

And not alone, but all the realme besyde,
His fatall losse, haue cause for to lament:
VVho father was of lawe, which right dooth guide
And as his Childe, the same to Iustice bent.
VVhich to his will the Iudge vniust dooth rent,
But he good man, did wasche his handes fro wronge,
And sildome sought, to laye his foe alonge,

Sic volo, sic iubeo, stet pro ratione voluntas.

He neuer raylde, nor rag'de at faulty men,
But in good woords, gaue sentence of their paine:
VVhere grace he spi'de, he gaue such counsell thé,
As many euill, to goodnes he did gaine,
From selfe reuenge, he euer did refraine:
And yet seuere when it with Iustice stonde:
A *Tullie* right, all for his Contry es good,

He did not prie into his neighbours state,
Vnlesse it were for to sustaine his right:
His godly minde, flew no ambitious gate,
But in the meane, did euermore delight.
whé climing heads, oft reache beyond their might
He iustly did discharge his charge assynde,
And neuer wrought, to crosse his soueraigna minde

Lords

of the good Lord Dyer.

Lords Letters sent, to winke at some abuse,
He aunswerd thus, *I am to Iustice sworne:*
I must offend, or your desire refuse,
which woords to deeds, he euer more did tourne:
Yet in such sorte, as reau'd conceight of scorne:
Thus faylde the best, from Iustice him to drawe,
VVhen most men make, the mighties will a lawe.

The Lawyer lewde (as many naughty are,)
And yet the law, to cloke their wrongs do straine:
He thus would check, this string my frend doth iar
You of the Lawe would make a backsword faine,
For others eg'de, for your offences plaine.
You can by lawe, vnpunisht steale a Farme,
But mend, or hell will sure your carcas warme.

Needefull reprehension.

You not sustaine, but doo the lawe oppresse,
And so a foe vnto the Common weale.
Lawe frends the good, & doorh the leawd suppresse
& you would make, the good her vengeaũce feele
Your neighbor vse, as he with you should deale.
Gods lawe sayth so, with which ours ought agree,
VVhich learne for ignorauncе no plea wilbe.

Non facias alterui quod non vis tibi fieri.
Ignorantia iuris non excusat.

The like aduise he daylye did bestowe,
Vppon all sorts, as their vocations were:
The spender, he the paines of want would showe,
The greedy man, how that his eatke and care,
Fastned on goods for other men to share.
Shrowd mãs complaints, he in this check did blame
The blinde for sloth may ill vpbraide the lame.

The labouring man, that liues by sweate of browe,
If him he found, in wrangeling to delight:
He thus would charme: *Good neighbor ply the Plow*
Lawe tireth such, as haue freends coine and might,
Let honest men, be daies men of thy right.
Thus he good Iudge the poore mãs wealth did prise
Before their gaine, which by the Lawe dooth rise.

Sute of lavv is greeuous. to all men.

One all degrees, in counsell or in meede,
He thus performde the office of a freende,
The fatherles and VViddowes he did feede,
Sustainde their rights, their iniuries did end,
A *Cato* right, that did his substaunce spend
On such as lackt affirming how that these,
His Chuldren vvere, VVife, kinsefolke and alyes.

The office of a good man.

For

For publique good, whē Care had cloide his minde,
The onely ioye for to repose his spriglits.
Was Musique sweet, which showd him wel inclind
For he that dooth in Musique much delight,
A conscience hath, disposed to most right.
The reason is, her sound within our eare,
A Symphathye, of heauen we thinke we heare.

The vertue of Musique.

And therefore calde, the Image of the soule,
Forth of the hart, which care & greefe dooth wrest
The Swan in songs, her passing Bell dooth knowle
The Nightingale, with thornes against her brest,
Dooth wake to singe, when other birdes doo rest.
(As showen before) for to deceiue their paine,
VVhose tormēts else would make thē crie amaine.

This vvas his life, to vworke his Countries vweale,
He did his health, vvith care and studdie vvound,
VVhen as his minde diseased he did feele,
This vvas his ease, sweete harmonie did sounde,
Thus all vvas good, vvherto himselfe he bound.
But some the best, vvith enuie vvill assaulte,
And carping saye, none liues without a fault.

Nemo sine crimine viuit.

I graunt it true(but theires more greater are)
the Bee sometimes, the huswiues hād doth stinge,
But with his Combe, the householde better fare,
So good men do, themselues with trespas wringe,
And with good deedes, a number profit bring.
Now see if these through sorrow purchase grace,
Offend like those, that would their famcs deface

The enuious vvound themselues.

No Enuie no, thy Barke stayes on a shelfe,
The vertuous are, with such a Mirror armde,
As doo returne thy Darts vpon thy selfe,
Their bodies ofte, I graunt by thee are harmd,
but their good deedes are frō thy venim charm'd,
VVherefore in spight of Enuie, Time, and Death,
This Iudges fame, my muse shall keepe in breath.

Not like his worth, whose life before is tould,
the more our losse, his death doth now draw neere
Yet when he was, infirmed weake and olde,
In Iustice seate, his iudgement still was cleare,
Yea to his end he traueld sutes to heare.
Yeares could no whit his memorie asswadge,
VVhen many wise are childish in their age.

of the good Lord Dyer.

VVell Time, in time, what worldly is will weare,
And more will waste, the world it selfe to naught,
The Cannons force, the lofty Towers teare,
The strongest man, how proude so be his thought
In trackt of time, vnto his Graue is brought.
Euen so this Iudge, when as his time was come,
Could by no Plea, defer his fatall doome.

VVhen Sicknesse came, the messenger of death,
He patiently, his sommons did obey:
See heere the end, of all that draweth breath,
Night clowdes (quod he) the sun & brightest day.
The huge high Oke, a blast dooth ouerwaye.
So Prince, nor peere, to saue them from the graue,
Noe Charter haue, more than the wretched slaue.

A heauy tale, vnto the worldly wight,
That hath health, wealth, and in his bowels peace,
But folish man, and foe to thy delight,
Thy sorrow leaue, thou liu'ste by this disease,
As buryed corne, consumes ere it increase.
For flesh and blood, no lasting life can giue,
But beeing dead, the soule dooth euer liue.

The imperious subscription of the Pope in his commissions and warrants, alluded vnto tiranous Prynces which make their wyls a lawe.

If men with zeale this difference foresawe.
A chaunge in life, I hope would foorthwith bee:
Fiat per me, could neuer stand for lawe, (agree,
The Cleargies workes, should with their wordes
The Iudge would Iudge, as he would Iudged be,
This sentence would, the murdrers hart affright,
The sheathe shall wound, who with the sword doth smight

And to be short, all sorte of men would learne,
To liue, to die, and die to liue againe:
For what auayles, a world of rule to yearne,
To lose the soule, and leaue the same in syne,
Bothe lands and goods, men must of force resigne
And onely keepe their actions good and bad,
Them to condemnt, or else with ioyes to clad.

More would I saye, if greefe to ease gaue place.
But all in vaine, weakends commaunds my wyll:
The tyred Iade, dooth trip at euery pace,
when pampred horse, doo praunce against the hill,
So fewe woords, the sicke mans hart dooth kyll.
VVhen healthfull men, with long discourses play,
But what is breefe, may best be borne away.

These woords and more, of more deuine regarde,
He soundly spake, when as his hart was ill:
His seruaunts paines he largely did rewarde,
To Orphants poore, whose Father he was still,
Bothe lands and goods, he did bequeathe by will.
And other gifts of charitie did giue,
VVhich scape my Pen, but make his fame to liue.

He gaue to the Hospytall of saynt Bartholmes tvvo fayre houses and to other Hospitalles and almes houses money and lyuinges

Lords claime (quod he) a Heriot of the dead,
A homage dew, and men their rights must haue.
Bound to my Prince, by seruice, looue and dread,
Tys iust I paye, a Heriot for my graue,
VVherefore I will, her Maiestie shall haue,
My Diamonde, and my Chaine of honnor eke,
So showde his zeale, at death was not to seeke.

He bequeathed the queenes Maiestie his Coller of Esses and a very ritche Diamond.

His worldly wyll, in order thus dispos'de,
His care was past, he found his conscience cleare:
VVho yet aliue, through hope in heauen repos'de,
And neither hell, the Diuell nor Death did feare,
Thus like a Taper light, his life did were.
And in the end, at *Stawghton* he did die:
VVhere longe he lyu'de, and little liu'de awrye.

The

The heuē his ſoule, the tomb thus ſhrowds his corſe
the world his fame, while world doth laſt wil keep
Vnto the wyſe, his deeds remayne in force;
VVho for his death, their harts in ſorrow ſteepe
But wronged men haue cauſe on cauſe to weepe
VVherefore of right, for euery eye to ſee,
VVhereas he lyes this mone in grau'de would be,

¶ *In obitum venerabilis et Conſularis* uiri Iacob : Dier Equitis aurati et iuriſperitiſſimi Epitaphium.

Conditur in tumulo Cato noſtri temporis iſte,
conditur: O meſtas Conſulis exequias:
Flet Princeps: lugent proceres: et corde ſub imo
plebs fundit refluas cum gemitu lachrymas
Et merito: nam fautor erat virtutis et auctor
Conſilij q; ſimul, Iuſtitiæ q; Parens.
Et vitij durus Iudex, cenſorq; malorum
et pius: et multis vir generoſus auis
Et ſemper bonus ille bonis fuit: ergo bonorum,
ſunt illi demum pectora Sarcophagus.

Viuit poſt funera virtus.

Collated vor
12/29/21 RA